

CONDITION FOR APPROVAL FORM
(TO ACCOMPANY LEGISLATION)

COMMITTEE: FINANCE/EXECUTIVE

DATE: 7/14/04

ORDINANCE # _____ **RESOLUTION #** 04-R-1220

REQUESTED BY: Committee

DIRECTED TO: LAW Department

NATURE OF CONDITION FOR APPROVAL:

Add new language to the legislation authorized
in the corresponding amendment in Section 4

WHEN IS THIS INFORMATION DUE, AND TO WHOM?

By 7/19/04

WILL THIS RESULT IN AN AMENDMENT TO THE LEGISLATION?

YES () NO ()

WILL THIS RESULT IN A SUBSTITUTE TO THE LEGISLATION?

YES (✓) NO ()

HAS THIS INFORMATION BEEN RECEIVED? YES () NO ()

DATE OF RECEIPT: _____

COMMITTEE AMENDMENT FORM

Committee FIN / Executive Page Number(s) 2

Ordinance I.D.# _____ Section(s) 5

Resolution I.D.# 04-L-1220 Paragraph _____

Date 7/14/04

Amendment: ^{FAC} After the ~~Account #~~ add "Trust Fund
(Core and Conserve) Revenue / Land Lease"

Section 4: That should the RF ~~in~~ the
surrounding area interferes with the
; the COA shall prepared
by Law Dept.

**A SUBSTITUTE RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE**

**A SUBSTITUTE RESOLUTION AUTHORIZING THE
MAYOR TO ENTER INTO APPROPRIATE
CONTRACTUAL AGREEMENTS WITH INTERMART
BROADCASTING OF GEORGIA, INC. FOR THE
CONSTRUCTION OF A TOWER AND ELECTRONICS
HUT AND LEASE OF REAL PROPERTY LOCATED AT
2065 LIDDEL DRIVE IN ATLANTA; AND FOR OTHER
PURPOSES; ALL REVENUE GENERATED SHALL BE
DEPOSITED INTO THE FUND ACCOUNT AND CENTER
NUMBER 3PO2 462101 Q11W02CBQNAO TRUST FUND
(CARE AND CONSERVE)/REVENUE/LAND LEASE**

WHEREAS, the City of Atlanta is the owner of the property located at 2065 Liddel Drive in Atlanta, Georgia (hereinafter the "Property"); and

WHEREAS, THE city of Atlanta's Watershed Management Department maintains the property at the aforementioned location as excess to its present needs; and

WHEREAS, InterMart Broadcasting of Georgia, Inc. ("InterMart") wishes to execute a Site Lease to erect an AM Radio Antenna and electronics hut on the Property; and

WHEREAS, the Site Lease is for the preferred site from which the new AM radio station for InterMart will operate; and

WHEREAS, InterMart needs radio antennas to broadcast programs in the Atlanta market; and

WHEREAS, the proposed new tower will be constructed to accommodate additional demand; and

WHEREAS, the Commissioner of the Department of Watershed Management has recommended that a Site Lease be entered into with InterMart for the benefit of the City; and

WHEREAS, the term of the Site Lease will be initially ten (10) years and may be automatically renewed for up to two (2) successive five-year periods unless terminated by the City by written notice.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That the Mayor be and is hereby authorized to execute appropriate contractual agreements with InterMart Broadcasting of Georgia, Inc. (the "Tenant") to lease the Property as shown on the attached site plan, and to allow for construction of appropriate buildings and structures as shown on the site plan.

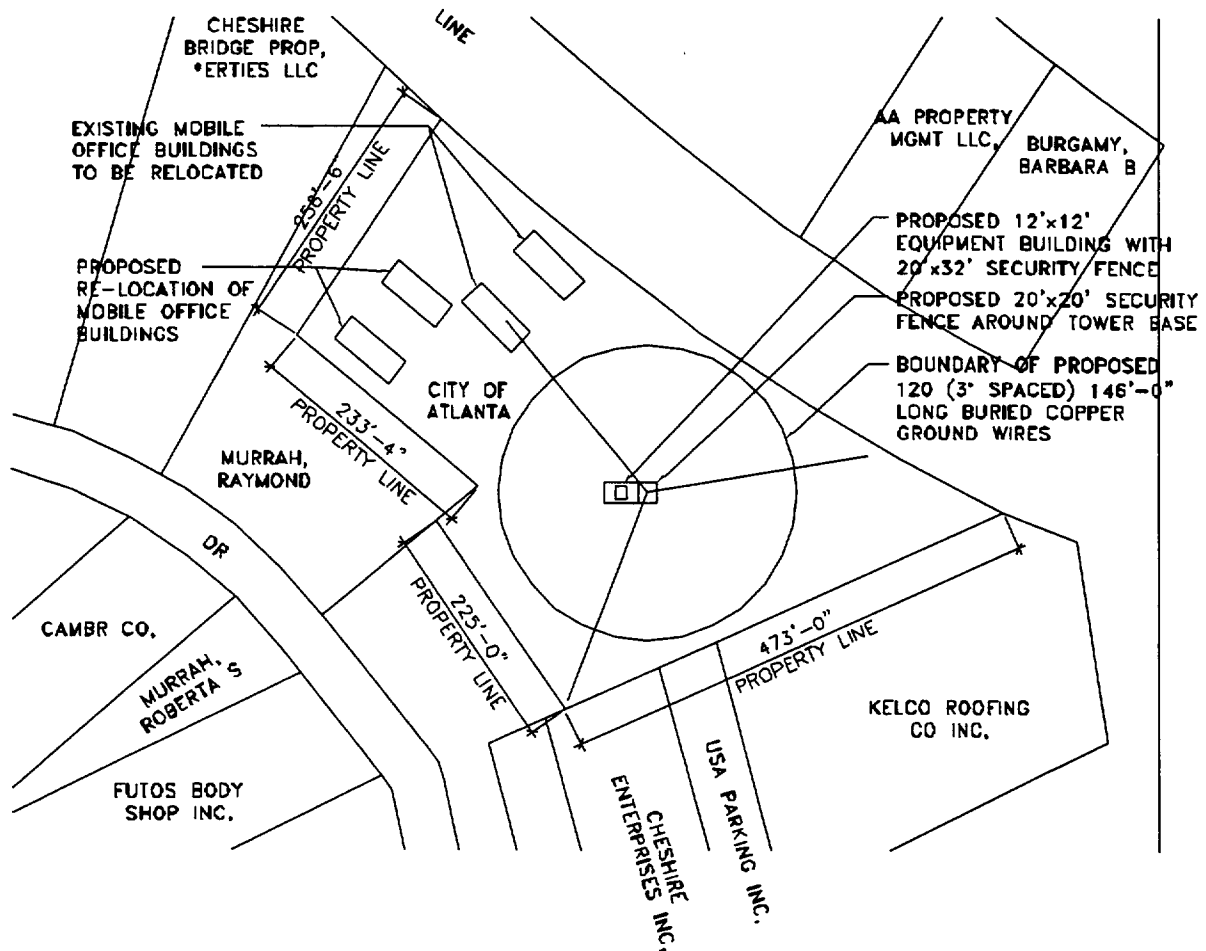
Section 2: That the Site Lease, shall be for an initial term of ten (10) years commencing on the date of the agreement.

Section 3: That in the event that the Tenant is not in default during any term of the Site Lease, the City shall have the option to renew such Site Lease for two (2) successive five-year renewal periods, not to exceed a total cumulative period of twenty years. The base monthly rental rate shall be \$2,000; provided, however, that this rental rate shall be increased annually by 4% every year after the first year.

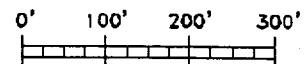
Section 4: That an appropriate contractual agreement or agreements shall be prepared for executive by the Mayor, to be approved by the City Attorney as to form.

Section 5: That all revenue generated shall be deposited into the land lease revenue trust fund, account number 3PO2 462101 Q11W02CBQNAO.


Section 6: That such contractual agreement or agreements shall not become binding on the City, and the City shall not incur any liability upon the same until such agreement or agreements have been approved as to form by the City Attorney, executed by the Mayor, sealed by the Municipal Clerk and delivered to the contracting party.



220' GUYS SHOWN FOR 360' TOWER



INSTALLATION OF TOWER AND RELOCATION OF EXISTING MOBILE OFFICE BUILDINGS REQUIRES DEMOLITION OF EXISTING DILAPITATED BUILDINGS ON PROPERTY

MORRISON HERSHFIELD  66 PERIMETER CENTER E, SUITE 600, ATLANTA, GA 30346 Tel: (770) 379-8500 Fax: (770) 379-8501 www.morrisonhershfield.com	Project: AM Tower - City of Atlanta 2065 Liddell Drive ATLANTA, GA	Scale: N.T.S.	Project No. ---	Seal
		Designer: AS	Date: 11/12/03	
		Drawn By: DP	Checked By: AS	
		Drawing File:	Client Approval	
Client:	Drawing Title: SITE LAYOUT	Issue No. 0	Drawing No. SK-1	